

## MINUTES – MAY 20, 2013

The Caswell County Board of Commissioners met in regular session at the Caswell County Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, May 20, 2013. Members present: Cathy W. Lucas, Chair, Kenneth D. Travis, Vice-Chairman, Nathaniel Hall, Larry G. Hamlett, Jeremiah Jefferies and N. Kent Williamson. Absent: William E. Carter. Also present: Kevin B. Howard, County Manager, Brian Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Paula P. Seamster, Clerk to the Board, recorded the minutes.

### MOMENT OF SILENT PRAYER

Chair Lucas opened the meeting with a Moment of Silent Prayer.

Chair Lucas stated “I would like to mention that Commissioner Carter will be absent tonight. His Father is not well and he is attending to him.”

### PLEDGE OF ALLEGIANCE

The Board of Commissioners and all the guests in the audience recited the Pledge of Allegiance.

### APPROVAL OF AGENDA

Chair Lucas stated “We need to make an adjustment to the Agenda, after Item 5 we need to add a Detention Center update.”

Commissioner Travis moved, seconded by Commissioner Hamlett to approve the agenda as amended. The motion carried unanimously.

### PUBLIC COMMENTS

Chair Lucas opened the floor for public comments.

Ms. Kim Ayers made the following statement:

“My name is Kim Ayers and I live in Blanch, NC. We just came over from the workshop that is being held over there and they asked me to come and wrangle in some of you Commissioners to come over, you won’t make it tonight but for tomorrow night at 5:30.”

Chair Lucas asked “Is this the Yanceyville meeting that they were having today?” Ms. Ayers responded “It is a community design workshop for the Town of Yanceyville and when they initially did their slides they said the Town Square, Yanceyville and Caswell. One of the subjects they brought up was the communication between the Town and County so any of you could attend that would be wonderful.” Chair Lucas asked “Thank you. Do you know what time tomorrow?” Ms. Ayers responded “It will start at 5:30.” Commissioner Travis stated “We will be here going over the budget. We have a budget workshop.”

Chair Lucas asked if there was anyone else who would like to speak during Public Comments. With no further comments Chair Lucas closed Public Comments.

### BOARD OF EQUALIZATION AND REVIEW

Commissioner Jefferies moved, seconded by Commissioner Travis to reconvene the Board of Equalization and Review meeting. The motion carried unanimously.

Mr. Thomas Bernard, Tax Director, stated “Good evening Madam Chair and Commissioners. We have one item on the agenda tonight. I think Mr. David Andrews is going to present a presentation.”

Chair Lucas asked Mr. David Andrews to come forward.

Mr. David Andrews stated “I think that Paula passed out some documentation that I put together. I would like to speak about that if I could.”

Mr. Thomas Bernard and Mr. David Andrews were sworn in by the Clerk to the Board.

Mr. Andrews stated “This property is acreage that I bought in July of last year and upon the purchase of it I immediately went to appeal the taxes with the Tax Office because there were clerical and technical errors that were pretty big making it about 400% over valued. At the time with the tax office they said all they could do or all they could come back with was a reduction from \$280,000 to about \$220,000 and that was based on having missed some notes that the appraiser had put down. My position at the time was that it was a lot worse than that and you have the power to look at them all, the technical errors that were made but the Tax Office did not feel that they had the authority to do it at the time and that I had to wait until this year to go before the Board. Now in preparation for the Board I did pass some information and details to the Tax Office and they came back with a de-valuation of \$192,000 and again to \$165,000 but those are missing a key component. One is some acreage mixes which is not really that much but we still have an \$85,000 different that I contend in the appraised value and the bulk of it some \$70,000 is directly based on the method that they used. Several times I asked the office what type of method they used to do their appraisals and I did not get an answer. I look at it and it looks to be a breakdown method is really what they used and they assigned tax property codes to different sections and sizes and acreage of the property based on its use and then added them all together. Then you add your improvements, house and things like that to come up with the total price. I asked twice for the definition keys of what those tax property codes are and was never given that. The paperwork I did there takes the approach of what I have available to me. I took comparable properties and I took of what the sales sold for originally. I took cost plus sub-development additions, what it would have cost to develop the property then I also did what I call a sanity check. I took marketing conditions that were published of how much property values went up and went down for the last five years and I extrapolated from 2008 going forward to 2012 and then from 2012 back to January 1, 2007. Every approach that I present there range in value from \$73K and \$90K and something like that. It was not an exception. So I am homing in on the biggest part where the technical error is and the biggest part of the technical error is the

waterfront property and what they define it as or what they coded it as. I would like to hand this out. One of the potential, now this property is not a farm by the way. In 2012 it was reconstituted as a farm. It is a tree farm. It is under a woodland management plan. There are no plans to subdivide it or anything like that. Some of the confusion going back because I tried to interview some of the people involved in the appraisal back then but I could not get the original owner or the second owner/developer to talk to me but I did get the surveyor to talk to me and that first page that I gave you is the map and this was their first actual intention in 2007 when the property was purchased. It was divided out in the 80s because of Farmer Lake and in '91 from the south side there is a small two acre course and that was subdivided out. Then the rest of it was purchased in March of 2007. From my interviews with people it was intended for this entire portion was proposed to be a subdivision. All 55 acres was going into the Crystal Cove Subdivision and that is what this trial or marked survey was all about. It was being presented from what the surveyor said was sent to Planning that approved subdivisions. The second page if you move to that it is actually the subdivision that was approved. It is half of it, the lower right half. Not my property part. My property part then remained apparent and for reasons that were not explained to me it was not approved as part of the Crystal Cove Subdivision. They did between March and July cut the road through my part of the property, put power lines in, and then dug and installed underground utilities to the Crystal Cove Subdivision. I do not have underground utilities. I do not have electric service to any of the property. It is not developed like that and their road goes through it and I do not have any say on the road and I am not a part of it. I am not part of the road maintenance or anything like that. If you will look at that page, the second page on the top left you will see a piece of property, there is a right of way coming down to the small section of property right here well that property is in the same situation as mine in that it is unrestricted, non-subdivision property that would have been impacted similar to mine. So one of the key presentations that I am making the evidence that I give is that this is a like kind property to compare against and then I have some 17 other like kind properties of which one borders on my western property line and it goes back around the lake and has 10 acres that are waterfront. That all substantiates my position of what tax code should have been used for this property and again I said I have 17 others. They have no utilities, waterfront property.”

Commissioner Hall asked “Mr. Andrews on this map can you show me where your property is again?” Mr. Andrews responded “My property is actually at the top.” Commissioner Hall continued “So it is not a part of this?” Mr. Andrews responded “No it is not a part of the subdivision. This was the original plan of the subdivision.”

Chair Lucas asked “Is this correct here, would that be accurate as opposed to...” Mr. Andrews responded “My property is here.” Chair Lucas stated “All the blue?” Mr. Andrews responded “All the blue. This is the actual subdivision and this is the property that is like mine.” Chair Lucas stated “Everything in the blue outline is his property.” Mr. Andrews stated “For example to give some background, the lower left side of my property, where the X is, looks like it is lake front. It has a floodplain. It has a water source on the left but by the time you add everything up it cannot be developed as waterfront property. That was one of the technical problems because it is technically codes wrong but the Tax Office did not come to that understanding until they talked to Donnie Powell of Environmental Health because I could not get the Tax Office to meet with me or meet at the property with me to explain or understand this. I asked Donnie Powell if he would come out and look at it and he did and then he shared with them that it was not

something that you could develop as waterfront property and the Tax Office said you know what it is not so we will remove that and it will be coded Woodland and that was \$103,000 drop or something like that. I am not really sure because they don't really tell you. One was values at \$111,000 and the other at \$103,000, technical error. So we already know that technical errors have been made so I am just trying to understand this, it is a technical error that specifically I say it should be coded as a 1040GAC waterfront, no utilities and I give a lot of justifications here for that with the like kind properties being the most powerful one. The property next to me being code the very same way and all properties that are like mine are very similarly coded. Some are little high and some are a little low but they are not \$110,000. They average \$28,000. That is the heart of what I am trying to get across. I think I have been very diligent. I went through historical information. I went through government pricing indexes to show that nowhere in this country did prices drop 80% in this region. 19% was the highest. I even did a model to take the worse and best cases in North Carolina averages of how housing prices changed in the last five years. I used the Greensboro market, the Burlington market, and it supports the contingent that \$80K range is the proper market value for this property when technical problems are taking care of and then add little things like they put a house on it and it was destroyed after being valued that was taken care of pretty quickly. That got taken care of on that first go round."

Chair Lucas asked "So Mr. Andrews you are disputing the \$165,422, is that right?" Mr. Andrews responded "I am disputing that price yes. It should be around \$80K. I did want to add that there is some complexity here. We have seen it in the last six or eight months in evidence that the Tax Office has not had a full understanding of what is going on and as they have understood things, understood the technical clerical errors they have adjusted to it. This is one that they don't understand yet and you do have a right to actually create a subcommittee or you can subpoena people and force an actual meeting to take place and force the Tax Office to show their method used, show the justification because the only justification so far has been hey the prices were very high back then, they were really high, you can't believe what those properties were going for and they really dropped off. That is not a valid justification. The appraiser went on a speculative nature on this is going to be some grand gated community. Apparently that may have been what his plan was in 2007 early but clearly in July of 2007 was the subdivision was three properties no covenant was even created until 2010 so we really don't know. The only true, I used market value based on its true reasonable use of the property on January 1, 2008 and a gated late front community was not it." Chair Lucas stated "Thank you."

Mr. Bernard stated "What we did when Mr. Andrews came in and with emails and calling back and forth. There was and talking and reviewing this on Mr. Andrews's concerns we did talk with Donnie Powell. The area that you see on your maps marked with an X we did find out that this will not perk, will not substantiate a waterfront lot with no utilities so in 2012 we had that lot valued \$36,531 and so we moved it. And also when we were looking at the map, the appraisal company did not have the wooded acres and the open acres correct because in 2012 they had on their open 12 acres, we did not have that. We changed that from 12 acres for 4 acres. The wood on the property we changed that from 10 to 16. We took off that waterfront with no utilities marking in that X and also we made an adjustment on the waterfront no utility lot we had from \$111,980 down to \$93,830. That was for access and the fact that Mr. Andrews if he had to put in a septic system somewhere on that lot or if he sold that lot that he would have to have a large diameter pipe to pump the sewage back up the hill. Given the fact that we measure the acres

there along this paved private drive, it was appraised at the best and highest use and that is evidently what they did back when it went affect in 2008 when they were doing the reval in 2006 and 2007 for this. All those lots that were done in this subdivision, those lots ended up being around \$93,000 for a waterfront lot with no utilities. That is what was going on back then and I told Mr. Andrews that this is what we can recommend but if there are any other changes any lower than that it would be up to the Board of E&R. All those lots in the subdivision probably has a waterfront with utility lot with somewhere ranging in the neighborhood of below him, most of them are running around \$93,000 to \$110,000 or \$111,000 or somewhere in that ballpark.”

Chair Lucas asked “Thomas on the \$93,830 is that what he is being talked about being reduced to \$80,000?” Mr. Bernard responded “The \$93,830 for 2012 is valued at \$111,980 which reduces that lot to \$93,830.” Chair Lucas continued “But Mr. Andrews said \$80,000.” Mr. Andrews responded “I don’t know where he is getting the \$93,830. It should be \$26,070. Mr. Bernard reference to Crystal Cove is irrelevant. All the properties are overpriced. They sold for 25 to 30% over the tax value. Across the lake is gated property. On Waterside Drive the lots are \$26,070 an acre. I would love to present to a committee to have through these numbers. Somebody in 2008 appraised them at that. That is not a compelling rational reasoning.”

Mr. Bernard stated “On the other hand you have to realize this reval went into effect in January of 2008. It took place probably in the latter half of 2006 and all of 2007 when the market was hot. The real estate market was probably at its highest and that is when the reval was done and when it went into effect. As far as the Tax Office is concerned. These errors here we think or it is our suggestion to come down to the 165 number but as far as the economic situation if anything is sold after that you know between revals we don’t go up in value therefore we can’t go down in value during those years for economic situations.”

Commissioner Travis asked “What did the property sell for when you bought it?” Mr. Andrews responded “I paid \$73,000. I have been a project manager for 30 years. As part of what I do is I build up cost basis for financing. I also deal in real estate. I help people price property. When I purchased the property I purchased it for farming. I attributed \$3,000 for the septic system. Somebody had a contract on this land before me. On page 6 of my report it addresses the prices on the houses. U.S. home prices fell in the last quarter of 2007 according to OFHEO’s seasonally adjusted purchase-only house price index. The index, which is based on data from home sales, was 1.3% lower on a seasonally adjusted basis in the last quarter than in the third quarter of 2007. This decline was substantially greater than the .3% price decline between the second and third quarters. Over the past year, prices fell .3% as the fourth quarter decline erased earlier price gains. The property sold for \$300,000 in March of 2007 and I estimate it should have been priced at no more than \$95,000 on the road and \$50,000 off the road. Using those numbers it simply does not the 400% increase in 6 months.”

Commissioner Lucas asked “Have you shared this information with the Tax Office that you just put together?” Mr. Andrews responded “Most of it I did and I specifically said that this is the wrong one that you are using. This is why it is wrong. As far as the housing index stuff I did all of this over the weekend. On Friday is when Mr. Bernard called me and said this is the best we can do.” Commissioner Lucas continued “So this information was put together over the

weekend?" Mr. Andrews responded "Yes but I gave them a written report last year and I have given it to them three times since last year."

Commissioner Williamson asked "Mr. Andrews you said that you were farming this property?" Mr. Andrews responded "As a woodland property, yes." Commissioner Williamson continued "Do you have a forestry plan?" Mr. Andrews responded "Yes I do. I am planning to harvest it this year if we can do it except for the part of the property that is infested with kudzu. I am working now to clear that out and hopefully in March or April we can plan loblolly pines." Commissioner Williamson asked "And Mr. Bernard you have a copy of this forestry plan?" Mr. Bernard responded "I do not. He has not applied for the forestry use management plan and I do not have that." Commissioner Williamson stated "Okay. That is what I needed." Mr. Andrews stated "I actually did give the Tax Office the woodland management plan. In an email when I actually sent it to them and the email would not accept such a large document. I said well you already have it in your office. They do have a copy of the map with that documentation so the Tax Office has the document. I ask for an evaluation from the conservation ranger." Mr. Bernard asked "Did you fill out an application in 2012?" Mr. Andrews responded "Yes I did." Mr. Bernard asked "Were you approved? Unless you live on the property, you actually have to live on the property or you have to own the property for four consecutive years. Do you live on the property?" Mr. Andrews responded "I have an RV on the property."

Commissioner Hamlett asked "Is this waterfront property right here?" Mr. Bernard responded "Yes sir." Commissioner Hamlett continued "So this could be a waterfront property here?" Mr. Bernard responded "Yes sir." Mr. Andrews responded "I agree a house could be put on the waterfront property. You would have to have a 1500 foot long driveway. Despite all of these deficiencies I think it should be valued at \$26,000. There are two deeded properties with two acres and they are priced at \$26,000."

Chair Lucas asked "So you just said there are 2 acres valued at \$26,000, is that right?" Mr. Andrews responded "In the neighborhood." Chair Lucas asked "Is this the property that you are comparing it to?" Mr. Andrews responded "It is down access road below my property." Chair Lucas stated "This corner here is what he is comparing the \$26,000 to right here which would be considered waterfront."

Commissioner Hall asked "Does the property that you are comparing to what was the value of that during the last reval?" Mr. Andrews responded "Well the entire property value, it is only 2 acres, was \$28,000. They attributed the waterfront at \$26,070." Chair Lucas asked "So the total value is what?" Mr. Andrews responded "On the waterfront property you can build on it, it is only 2 acres. If it had been 28 acres like mine it would have come to \$8,000 and acre." Commissioner Hall asked "So it was prorated for where it is located so it is basically equal." Mr. Andrews responded "Yes it is as equal as I can possibly get it." Commissioner Hall asked "Mr. Bernard do you understand what we are saying? We had a question and I think that Mr. Andrews has answered it but I want to make sure that the property he is comparing to that they basically assessed the same value." Mr. Bernard responded "I know what he is saying and I saw the value and I have no earthly idea why that property is so low." Commissioner Hall continued "That is not what I asked you. I asked if they were assessed at the same value, were they comparable when our assessors went out there in 2008." Mr. Bernard responded "It is hard to

answer that question because in 2008 I was not there. I am saying when this subdivision was done, when Mr. Kelly was doing that subdivision I would say probably not because they put a paved road in and some underground utilities and issues like that. I think Mr. Kelly...” Commissioner Hall stated “I don’t know the names. I am trying to see if they are comparable values. That is what the reval is about.” Mr. Bernard responded “I don’t know what that property, the one that Mr. Andrews is referring to because he has told me that. I have not been down there or asked Donnie what that is looking like but I am just looking at the property...” Commissioner Hall stated “That is fine. I am just concerned about the period of the reval.” Mr. Andrews stated “I can tell you it is the most comparable. It has benefited comparably.” Commissioner Williamson responded “But at the same time it does not have a road frontage.” Mr. Andrews stated “That is true, it does not. It does have a right of way down to it. It takes five pieces of property to compare. I listed 18 like kind properties that are like mine. I don’t understand the logic they used.”

Chair Lucas asked “Do you have anything else you would like to add Mr. Andrews?” Mr. Andrews responded “Only if some of the clarifications come up and I ask questions where, I just put this together this weekend. My head was spinning from doing this weekend. I spent 16 hours on this and my wife was not happy. I expected that there would be questions.” Chair Lucas stated “It was very detailed. Thank you very much.”

Chair Lucas asked “Are there any questions for Mr. Andrews from the commissioners at this point? Mr. Bernard do you have anything to add? Do any of the commissioners have any questions for Mr. Bernard?”

Commissioner Hall stated “Madam Chairman I don’t have any questions but I am somewhat confused. I think that I would request that we take the information that we have from Mr. Andrews especially since he talked about the clerical errors and the technical errors and we get a comparable schedule from the Tax Office and with some type of basis of support or whatever they are recommending. It is one thing to tell me but I need to be able to see it and read it and be able to chew on it to make sure it makes sense to me and some of this right now does not make sense to me.”

Mr. Bernard stated “I would like to add one thing. When we were talking about this waterfront lot no one has ever brought that to our attention. When property does not perk we don’t get that information unless the landowner brings that in. We have never gotten anything or any information until Mr. Andrews brought this up. Us talking to Environmental Health is the first time we were aware of this situation and the fact that he would have to pump the septic.”

Chair Lucas asked “And when would that have been?” Mr. Bernard responded “Within the last few weeks when the appraiser talked to Donnie Powell.”

Commissioner Hamlett asked “If he wanted to put lots back here on the waterfront how many could he put right there?” Mr. Bernard responded “It would not be waterfront lots but he could put lots around that road, it is a paved driveway and there could be several lots in there. I want to say probably close to 5.”

Chair Lucas asked "Did you say they would be waterfront?" Mr. Bernard responded "No they would not be waterfront but they would have a private paved driveway. Where he was talking about the top of that driveway, you could put about 5 lots in there if he wanted to subdivide it as such and it would have road frontage." Mr. Andrews added "The original appraiser did it that way. Page 2 on the chart shows what I proposed. Mr. Bernard two or three weeks ago said he thought this was appropriate."

Chair Lucas stated "We had a suggestion from Commissioner Hall that we take this information, digest it and review it and bring it back. We meet again?" Mr. Bernard responded "The first Monday in June."

Commissioner Hall stated "My suggestion is based upon if there is no more information to be presented here tonight. I am having a little concern because what I am hearing suggests that we could have some other errors and I know they are not here and they are not brought up but I think they need to be fixed as we deal with this particular citizen. That is why I would like to see his issues addressed and laid out in some systematic manner, Tax Office can agree or disagree and in a summary form." Chair Lucas added "And brought back to the Board at the next meeting." Commissioner Hall stated "Yes or before."

Mr. Bernard asked "Can I get a copy of what Mr. Andrews did over the weekend?" Chair Lucas asked "Paula do you have all of this information?" The Clerk responded yes.

Mr. Andrews stated "There is no other place like Crystal Cove. There is some property down the lake like it. Just to give some history Mr. Kelly was going to build a gated community. There are 8 lots in the Crystal Cove Subdivision. The other lots were valued at \$26,070."

Chair Lucas stated "Thank you Mr. Andrews for your presentation and we will address it at the next commissioners meeting. Thank you Mr. Bernard."

Commissioner Hamlett moved, seconded by Commissioner Jefferies to continue the Board of Equalization and Review at the next schedule Board of Commissioners meeting on Monday, June 3, 2013. The motion carried unanimously.

#### DETENTION CENTER UPDATE

Mr. Dennis Foster stated "Good afternoon. We are moving along. The architects on record were here today and did inspections. Each contractor on the job should be delivered a copy tomorrow. We looked at everything in there, what has not been done and what has been done. The high performance coating is in the areas that are designated for that. They probably have about 80% of the latex rock filler ground off the walls. We have the floor installer coming tomorrow to make sure that these surfaces are ready to accept the high performance coatings. We should have the high performance coating completed by next week. The lift station is scheduled to be delivered tomorrow and that is the last piece of machinery that goes in this thing. The contractor who got this bid, we sent him the documents; he wrote in ink at the top that the electrical was not included. This is not true. Everybody else that bided on this thing electrical was included so we have his feet to the fire on that one. We have a construction change order that he is to provide

electrical service to the lift station. It will have it. The directive is out there. We are scheduling the smoke evac test and this encompasses getting the smoke out of the building, the fire alarm system, sprinklers, and while we are at it we will do a test of the security controls, all the intercoms, cameras, lock and everything. This is due to be tested out next week. All this stuff is up and running. We have training for the Sheriff's Office staff set for next week also. We will have the Sheriff's staff in there learning computers and how everything works. The painters are on site. They are the ones that are doing the grinding on the wall in the high performance areas so as soon as they complete that they will do all the touch ups. I finally got the guys to install the pipe from the water tap to the building. We had two contractors did this and none of them wanted to sign the warranty but now I have everybody involved in that to sign it and they are responsible for it. We will have the sprinkler guys back in here later this week or first of next week to hook it up and fire it up. Electrical there are some loose ends out there. We went through them today and we will issue a construction change directive telling them to do the work and we will figure a price out when they get it done. We need to get in the building. The administrative part we will have the final inspection in there. We got the terminations done for the data. We are ready to move furniture in there. Robert is down there looking up all the computers and getting all of that working. We are going to install the conduit from the new jail to the old jail tomorrow. As soon as we can get that link together CenturyLink will run the cable through there and everything will be hooked up. The tile guy bailed on us. He was supposed to be here today and he did not show but he should be here tomorrow to finish up all the tile. We have some issues with the baseboard they installed the wrong baseboard. We sent the directive out to get that corrected. In the Intake area they have 4" base and then they have a gap about that much showing plywood. I recommended that they get some 6" base and do it like the plans say to do it. Security controls are about 99%. They are testing all the speakers. All the lights work. They are adjusting cameras now. We have to move one camera in the property storage room. You have cabinets in there that roll on rollers and when you move one over the camera is sitting on top of it. They are going to move that one over so they can see what is going on. Terminations are done. The trees, shrubs and landscaping were installed two weeks ago. Out front we have six maple trees, ten or twelve holly bushes and some ground cover stuff there. They are still alive after a week and after all this rain they should work out. The metal panels are 90% installed. They have to rework a couple of pieces but that will be finished by the end of the week. The door at the ramp at the southwest end has been cut out. The frame is in there. The subcontractor from Norment who provided the doors will be back tomorrow to fasten the door and grout it, hang the door and put the sweep on it and the threshold. That will be another thing off the list. The hole in the 3<sup>rd</sup> floor sky tower has been filled. We no longer have the one eye starting out at us. The retaining wall at the ramp on the southwest corner the architect delivered a set of plans to Kevin today. We are trying to find a local contractor to do that. Final grading I spoke with those guys. We just have a little bit to do over there in front of the existing Sheriff's Office right where the port-a-johns are. We will get the top soil spread and get the grass seeded. We also have to grade the lift station and that is up to the plumbing contractors that dug it up. The paving, the final paving, as soon as they get that compacted out they will be ready to go with that from the port-a-john around to the existing Sheriff's Office. We had the Department of Health, DHHS, they have to come in and inspect everything to get the actual working C of O. We have to get the C of O on the building; the state guys will come in and tell us what they want. We have all the TVs and cabling in. Still waiting on the kiosks. That is pretty much where we stand right now. I shooting really hard to get a C of O by the end of this month to get the Sheriff

in there and get him working. The control room will be up and running for training and we will get DHHS sometime in June to do the walk through so we can get it turned on and go.”

Commissioner Hamlett asked “That is the final thing that the state comes and inspects?” Mr. Foster responded “Yes the Department of Health and Human Services. They have to make sure that we are ADA compliant.” Commissioner Hamlett continued “Are all your materials here that you need or are you waiting on some?” Mr. Foster responded “We are waiting on one piece of machinery and that is the grinder for the muffin monster. We have been tracking it and it is supposed to be here tomorrow.” Commissioner Hamlett continued “So everything else is there?” Mr. Foster responded “Yes and one door that we added in a room for the records. We decided to match the rest of the doors rather than to get one from Lowe’s. That is probably 4 weeks out to get that door frame and door that matches everything else in there. As soon as it comes in it is a one day install.”

Chair Lucas asked “You mentioned something about the architect had sent plans to Kevin today what is that about?” Mr. Foster responded “The plans for the retaining wall at the ramp at the southwest corner. He delivered those today.” Chair Lucas continued “Does that have anything to do with the connector?” Mr. Howard responded “No ma’am.” Mr. Foster stated “My plumbing contractor, it rained really hard last Saturday. This door did get some water and sand in there. It did not damage anything. We had it out within 2 hours Monday morning so no harm no foul. I pushed it out myself.”

Chair Lucas stated “If there are no other questions then thank you very much Dennis.”

**APPROVAL OF RESOLUTION CONCURRING THE ADDITION OF BIG DIPPER DRIVE**  
**(MILTON TOWNSHIP)**

Commissioner Hall moved, seconded by Commissioner Jefferies to approve the resolution concurring the addition of Big Dipper Drive (Milton Township). The motion carried unanimously.

**RESOLUTION CONCURRING THE ADDITION OF**  
**BIG DIPPER DRIVE**  
**(Milton Township)**

**WHEREAS**, the N. C. Department of Transportation has investigated petitions to add to the state maintenance system .3 miles to Big Dipper Drive in The Harbor subdivision in the Milton Township; and

**WHEREAS**, the N. C. Department of Transportation recommends and supports said petitions for addition due to traffic volume and because the roads meet minimum housing requirements;

**NOW, THEREFORE, BE IT RESOLVED** that the Caswell County Board of Commissioners is in concurrence with the N. C. Department of Transportation in adding .3 miles to Big Dipper Drive in The Harbor subdivision to the state maintenance system.

Adopted this 20<sup>th</sup> day of May, 2013.

S/Cathy W. Lucas  
Cathy W. Lucas, Chair  
Caswell County Board of Commissioners

Attest:

S/Paula P. Seamster  
Paula P. Seamster  
Clerk to the Board

APPROVAL OF RESOLUTUION CONCURRING THE ADDITION OF SHADY POND  
ROAD AND LAKESIDE LANE (PELHAM TOWNSHIP)

Commissioner Travis moved, seconded by Commissioner Jefferies to approve the Resolution concurring the addition of Shady Pond Road and Lakeside Lane (Pelham Township). The motion carried unanimously.

**RESOLUTION CONCURRING THE ADDITION OF  
SHADY POND ROAD AND LAKESIDE LANE  
(Pelham Township)**

**WHEREAS**, the N. C. Department of Transportation has investigated petitions to add to the state maintenance system .3 miles to Shady Pond Road and .3 miles to Lakeside Lane in the Shadyside subdivision in the Pelham Township; and

petitions for addition due to traffic volume and because the roads meet minimum housing requirements;

**NOW, THEREFORE, BE IT RESOLVED** that the Caswell County Board of Commissioners is in concurrence with the N. C. Department of Transportation in adding .3 miles to Shady Pond Road and .3 miles to Lakeside Lane in the Shadyside subdivision to the state maintenance system.

Adopted this 20<sup>th</sup> day of May, 2013.

S/Cathy W. Lucas  
Cathy W. Lucas, Chair  
Caswell County Board of Commissioners

Attest:

S/Paula P. Seamster  
Paula P. Seamster  
Clerk to the Board

#### NCACC VIDEO ON LEGISLATIVE UPDATE

Mr. Kevin Howard showed a video that was provided by the North Carolina Association of County Commissioners.

Chair Lucas asked "Did you have anything to add to that Kevin?" Mr. Howard responded "They did ask us to see if the commissioners found this useful. They wanted to know if you wanted to receive more information in the future. They wanted to know if you liked getting these and if so they would do more in the future." Chair Lucas asked "We would still get those on an individual basis though right?" Mr. Howard responded "Yes ma'am. They still would send you emails on the updates. Also Senate Bill 321 passed the Senate subcommittee so that will be coming up for a full vote sometime in the near future." Chair Lucas asked "Any comments on the video? Did you like the format?" Commissioner Hamlett responded "It was nice. I look forward to having it again." Chair Lucas stated "So overall it was positive."

#### REQUEST FOR APPROVAL OF SENIOR CENTER MEAL CONTRACT

Mr. Howard stated "The congregate meal and Meals on Wheels contract is up for renewal for next year. We only received 1 bid. We actually contacted some other to get some other bids generated but that did not happen even though there was an advertisement. The price is the same as the current contract so there is no increase in the cost per meal. The amount of meals that will be provided will be based on the amount of funding we receive next year in the budget through the HCCB grants. We are just asking the Board to approve this contract."

Commissioner Jefferies moved, seconded by Commissioner Williamson to award the Senior Center Meal Contract to Golden Carroll for \$3.72 per meal. The motion carried unanimously.

Mr. Howard stated "Just so you will know Golden Carroll is pretty much doing the meals for most of the counties around us so that is part of the reason we only received one bid on that. It is our location versus who is providing meals in this area."

#### APPROVAL OF CASWELL COUNTY ASSISTANCE POLICY FOR THE 2013 CYCLE OF SINGLE-FAMILY REHABILITATION PROGRAM, PROCUREMENT POLICY, DIBURSEMENT POLICY AND SRF SOFT COST BUDGET

Mr. Howard stated "This is the single-family rehab grant and these are the policies that we have to get approved each time we get one of these grants to go in with the packets when we get this approved by NC Housing Finance as part of that grant process. We have to have these approved before they will let us move forward with the expenditures of the grant."

Commissioner Hamlett asked “\$170,000?” Mr. Howard responded “The total grant is \$170,000. The soft cost is what they will actually charge us which is \$600 per house.”

Commissioner Hamlett moved, seconded by Commissioner Jefferies to approve the Caswell County Assistance Policy for the 2013 Cycle of Single-Family Rehabilitation Program, Procurement Policy, Disbursement Policy and SRF Soft Cost Budget. The motion carried unanimously.

### APPROVAL OF WEBPAGE DESIGN SERVICES

Mr. Howard stated “This was tabled at a past meeting and was asked to be brought back to the commissioners in May. We are bringing it back to your attention. Our recommendation stays the same as previously with Municipal CMS to provide the services.”

Commissioner Hamlett asked “Who will be loading the stuff once we get this in place?” Mr. Howard responded “Once it is in place and it is designed each department will have the ability to create the changes for their particular section of the webpage. Then we would have to have administrator approval which will be either myself or IT before it actually gets posted on the webpage. Right now Robert Webb is having to do everything because our current webpage is done in html and he does all the coding to get on the webpage. This will also allow us to be more open. We will be able to post more documents on the webpage, more applications and permits and create documents for those to be on the webpage so folks can access those and fill them out on the webpage, print them off and send them in.” Commissioner Hamlett asked “Who will be doing all of that?” Mr. Howard responded “This company will create these documents for us as part of the contract.” Commissioner Hamlett continued “And the everyday activity that you have who will be doing that?” Mr. Howard responded “We will be doing those in house. Say Recreation will post a calendar. They will enter in that information so that it could be post and then someone will approve the content of it. This will actually have an interactive calendar where our current webpage does not so that every department can post what is going on. We can post community events and then people can go to that calendar and pull those up to see what is going on.” Commissioner Hamlett stated “You do need one to handle and oversee the whole thing.” Mr. Howard responded “It is set up to where they can go in and they will have the ability to update their information but you don’t have administrator approval which is the final thing before it goes live on the webpage.” Commissioner Hamlett stated “I pulled up Person County’s and they have an awesome website. I tried to find out who designed it but they would not tell me.” Mr. Howard stated “The only we recommended did Person County’s and Rockingham’s.” The Clerk stated “They did not do Person County’s. They did Rockingham County’s. The most expensive one listed did Person County’s website.” Commissioner Hamlett stated “Well they did a good job.” Mr. Howard responded “Rockingham County’s is very nice as well.”

Chair Lucas asked “What are we currently paying?” Mr. Howard responded “For the webpage? We pay a hosting fee of approximately \$1,000 a year.” Commissioner Hall stated “We don’t have anything.” Mr. Howard stated “I don’t know how much that webpage cost. It was done two or three years before I go here. Ours is a very old page compared to what is out there now.”

Commissioner Hamlett asked “How long will it take to get this thing going?” Mr. Howard responded “I think they can have us up and running in less than 6 months. I don’t remember what the exact timeline was.” Commissioner Hamlett asked “How much is the fee every year or every three years?” Mr. Howard responded “\$2400 a year for hosting fee but it is a lot more content than what we have now.”

Commissioner Hall moved, seconded by Commissioner Williamson to approve the contract with Municipal CMS to design the webpage that was recommended by staff.

Commissioner Hamlett asked “So this is going to be for three years?” Mr. Howard responded “The hosting will be for three years and we can renew that. There’s also offers an update every 4 years they will do an update.”

Commissioner Travis asked “How much of this did we budget for this year?” Mr. Howard responded “We budgeted \$10,000 to do it this year but we have the funds to cover the other \$4,000. Part of it will be paid this fiscal year and the remainder in the next fiscal year.”

Upon a vote of the motion, the motion carried by a vote of four to two with Commissioners Hamlett and Lucas voting no.

#### COUNTY MANAGER’S REPORT AND UPDATES Public Executive Leadership Academy

Mr. Howard stated “I will be attending the Public Executive Leadership Academy at the UNC School of Government. We talked about this last year during the budget process. I applied for that this year and I was accepted into the program. They picked 30 public executives across the state to be involved. It actually costs \$4,000 for this program which includes housing. I got a scholarship through the Manager’s Association for between \$2,000 and \$2,500 for this. It will be a week in July and a week in August. The week in August is the same week as our commissioners meeting I am trying to find out if I will be able to, this program is intensive you have to stay there and they go into the nights with some of the programs. There may be an issue with me being at that commissioners meeting but I will bring that back to you when I found out if I can leave or not and if I will be able to miss part of those classes. I will discuss it with Chair Lucas and we might need to make it a light agenda if that is okay with the Board. I will come back to you on that between now and then when I have more information on the scheduling.”

#### Rental Rate Increase for Guilford Mills Building

Mr. Howard stated “It is time to renewal the lease for Guilford Mills this year. What I am requesting is when we send the letter out is to tell them that the renewal lease will be \$8.00 per square foot instead of the \$6.00 in which we have been charging for the last four years. I just need Board approval to do that.

Commissioner Williamson moved, seconded by Commissioner Jefferies to approve the \$8.00 square floor rental rate.

Commissioner Hall stated “I noticed that this is a 33% increase from \$6 to \$8 and you mentioned in there that we had to cover maintenance and some other things. Is this rate enough to cover our costs and overhead?” Mr. Howard responded “It will cover, we want to do some painting and stuff in there so it will cover that and help pay for the increase in the power bills and still keep us comparable with what the market is.”

Upon a vote of the motion, the motion carried unanimously.

#### CDBG Funding Issue

Mr. Howard stated “I just wanted to make the Board aware that we received a letter freezing those funds because they had not received our audit yet. We ran out of bond copies. Once we got more bond copies we sent those in and you have a letter in there where they unfroze those funds once they received that audit. It is a copy of our Fiscal Year 2011-2012 Audit. Any questions about that?”

#### CDBG Funding Audit

Mr. Howard stated “I think we have discussed in the past about an issue with Hobbs & Upchurch and Michael Walser with the CDBG grants they had. We had an auditor come in about four or five weeks ago from the Office of State Budget and did an audit. Everything he was looking for we had in our files. I know some of the location did not have all the stuff they needed. WE have not heard anything else from anybody other than that. I just wanted to make you aware of where we were in that process.”

Chair Lucas stated “It was talked about that the Town is having to repay money back on one of their grants that they received.” Mr. Howard responded “It was due to a company that was used. They are the only place in the state that I know of and I called around that has had to do that.” Chair Lucas continued “I just hope we don’t have to do this?” Mr. Howard responded “I do know that they were missing some documents from their files when they came to do their audit.”

#### CDBG Talent Enhancement Capacity Building Funds

Mr. Howard stated “We applied for the Talent Enhancement Capacity Building grant and we received that grant for \$50,000. I just want to let the Board know that we received that. Rhonda Griffin will be attending. It is about a 9 month course on receiving grant writing training and other community development type training to try to help us out. As part of that process she will actually be doing a grant after she is finished.”

#### N.C. Rural Center Internship Program

Mr. Howard stated “The State Employees’ Credit Union and the Rural Center are going to be funding this. I got a call asking us if we would be willing to accept an intern. We had someone from Caswell County who applied for the program. I told them yes. They totally fund everything. It is a \$5,000 grant. Part of it pays for the salary and the other part of it we use to cover our costs associated with the internship. There are no county dollars involved. We will

have the intern for about 6 weeks this summer and they will help in various departments. I wanted to make you aware of that.”

#### ANNOUNCEMENTS AND UPCOMING EVENTS

- A. Budget Workshop – Tuesday, May 21<sup>st</sup> at 3:30 p.m.
- B. Memorial Day Ceremony – Monday, May 27, 2013 at 11:00 a.m. – Historic Courthouse
- C. Bartlett Yancey High School Graduation – June 8<sup>th</sup> at 10:00 a.m.
- D. County Employee Family Picnic on June 22, 2013 with a rain date of June 29, 2013
- E. Board of Commissioners, Town of Milton and Town of Yanceyville Joint Meeting – Thursday, July 11<sup>th</sup> at 6:00 – Historic Courthouse

Mr. Jefferies stated “They are working on the Yarborough Mill Road Bridge and it is moving along.”

#### CLOSED SESSION

Commissioner Hall moved, seconded by Commissioner Travis to discuss matters relating to economic development (NCGS 143-318.11(a)(4)) and to preserve the Attorney/Client privilege – Triumph, LLC v Alamance-Caswell LME, an Area Authority/Local Management Entity, Alamance County, and Caswell County, Alamance County v PBH d/b/a Cardinal Innovations, John P. Paisley, Jr., Jandy Andrews and National Digital Forensics, Inc., Alamance County File No. 12CvS1365 (NCGS 143-318.11(a)(3)). The motion carried unanimously.

#### REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Hamlett to resume regular session. The motion carried unanimously.

#### ADJOURNMENT

At 8:55 p.m. Commissioner Jefferies moved, seconded by Commissioner Hamlett to adjourn. The motion carried unanimously.

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Paula P. Seamster  
Clerk to the Board

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Cathy W. Lucas  
Chair

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